

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

AMERICAN MEDICAL ASSOCIATION et al.,

Plaintiffs,

v.

DREW H. WRIGLEY et al.,

Defendants,

and

DAKOTA HOPE CLINIC, et al.,

Intervenors.

CASE NO. 1:19-cv-00125-DLH-CRH

JOINT STATUS REPORT

The American Medical Association, Access Independent Health Services, Inc. *d/b/a* Red River Women’s Clinic, and Dr. Kathryn L. Eggleston (collectively, “Plaintiffs”); Drew H. Wrigley (“Defendant”); and Dakota Hope Clinic, Women’s Pregnancy Center, National Institute of Family and Life Advocates, North Dakota Physicians for Truth and Accuracy for Informed Consent, Dr. David Billings, Dr. Eric Pearson, and Heartbeat International, Inc. (“Intervenors”) (together with Plaintiffs and Defendants, the “Parties”) jointly file this status report. The Parties state as follows:

1. On March 10, 2022, Defendant Wrigley and Intervenor Heartbeat International, Inc. (“Heartbeat International”) filed Defendants’ Unopposed Motion to Stay Expert Discovery and Memorandum in Support [ECF No. 306]. In the Motion, Defendant and Heartbeat International requested that the Court issue an order staying the expert discovery process pending a decision from the United States Supreme Court in *Dobbs v. Jackson Women’s Health*

Organization, 141 S. Ct. 2619 (argued December 1, 2021) due to its potential impact on this case. Plaintiffs and the other Intervenors did not oppose the Motion.

2. On March 25, 2022, the Court issued an Order granting the Motion [ECF No. 308]. In the Order, the Court stayed the expert discovery deadlines and directed the parties to submit a status report to the Court within ninety (90) days of the Order [*Id.*].

3. On June 23, 2022, the Parties filed a joint status report updating the Court that the U.S. Supreme Court had not yet issued a decision in *Dobbs* [ECF No. 312]. The Parties stated that they would submit a supplemental status report within thirty (30) days of the Supreme Court's decision [*Id.*].

4. On June 24, 2022, the U.S. Supreme Court issued an opinion in *Dobbs*.

5. On June 28, 2022, Defendant Wrigley wrote to the legislative council and asserted that the preconditions for enforcement of N.D.C.C. § 12.1-31-12 have been satisfied. Defendant Wrigley also asserted that the law shall be given its full effect on July 28, 2022.

6. On July 7, 2022, Plaintiffs Access Independent Health Services, Inc. and Dr. Kathryn Eggleston filed a lawsuit in Burleigh County District Court challenging Wrigley's certification and N.D.C.C. § 12.1-31-12. *See Access Indep. Health Servs., Inc. et al. v. Wrigley et al.*, No. 08-2022-CV-01608 (N.D. Dist. Ct., Burleigh Cty. 2022). The lawsuit is ongoing.

7. The Parties are conferring about the impact that the state court lawsuit has on this case. In the meantime, the Parties believe that the stay should remain in place.

Dated: July 25, 2022

Respectfully submitted,

/s/ Benjamin E. Marks

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*Admitted *pro hac vice*.